Sing'l Bench

c.s. 100/

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION No. 793 /2005

PETITIONER

Nirmal Singh, S/o. Shri Guru Bachan Singh, Aged about 29 years, R/o. Sector-2, Qtr. No. 29/F/3, Bhilainagar, Distt. Durg (C.G.)

P.R. No. 214/05
Presented by Shri Sanjay Gupta
dated 26-02-05

VERSUS

RESPONDENTS

1. State of Chhattisgarh, Through it's Secretary, Department of Transport, D.K.S. Bhawan, Raipur.

2. Regional Transport Authority, Chhattisgarh, Raipur.

3. Amarjit Singh, Bus Operator, R/o. Khudko, Bhilai, Distt. Durg (C.G.)

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WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(20)

आदेश पत्रक

मामला क्रमांक W.P.793/ **सन्** 2005

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	9-3-2005 Mr. B.K. Rawat, counsel for the petitioner. Mr. Sumesh Bajaj, Deputy Govt. Advocate for the State/respondents No.1 and 2. Heard on admission. By this writ petition under Article 226 of the Constitution of India, the petitioner's grievance is that respondent No.3 herein filed an application for grant of permit on the route from Rajnandgaon to Durg via Gatula, Tedesara and Anjora for grant of stage carriage permit for mini bus bearing registration No.CG-07/E1161. The petitioner who is already a permit holder on the route from Durg to Patewa and is operating the bus on a regular permit filed objection before the Regional Transport Authority on 16-2-2005 with a prayer that without formulation of the route by the State Government as contemplated under Section 68 (3) (क) of the Motor Vehicles Act, the application of respondent No.3 cannot be considered, and since then, the RTA is not deciding the objection and not passing any order on the application of the petitioner herein. Learned counsel for the petitioner submits that a writ of mandamus be issued to the RTA for not considering the application of respondent No.3 as the route has not been formulated by the State Government. In my considered opinion, the writ petition is premature for the reason that simply respondent No.3 has filed an application for grant of permit to which the petitioner has filed objection and the RTA has not granted any permit or rejected the objection of the petitioner herein. Therefore, without passing any order by the RTA, it cannot be considered that any adverse order has been passed against the petitioner herein.	

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(21)

आदेश पत्रक

मामला क्रमांक W.P.793/सन् 2005

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित — 2 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
Soma	In the circumstances, the writ petition is dismissed being pre-mature. Consequently, M.(W.)P.No.644/2005 and I.A.No.1611/2005 stand disposed of. **Sd/-** **L.C. Bhadoo** **Judge**	

(पीछे देखिये)

13.6.05